

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>CARLOS COLON,</b>	:	
<b>Plaintiff</b>	:	<b>CIVIL ACTION NO. 3:20-1977</b>
<b>v.</b>	:	<b>(JUDGE MANNION)</b>
<b>DR. PEPPERS, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

In accordance with the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' motion to dismiss (Doc. [15](#)) is **GRANTED**.
2. Plaintiff's motion for appointment of counsel (Doc. [13](#)) and motion to stay pending ruling on the motion for appointment of counsel (Doc. [21](#)) are **DISMISSED** as moot.
3. The Clerk of Court is directed to **CLOSE** this case.
4. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith. See [28 U.S.C. §1915\(a\)\(3\)](#).

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
**United States District Judge**

**Dated: May 27, 2021**  
20-1977-01-ORDER